

# FULBRIGHT & JAWORSKI L.L.P.


A REGISTERED LIMITED LIABILITY PARTNERSHIP  
600 CONGRESS AVENUE, SUITE 2400  
AUSTIN, TEXAS 78701-3271  
WWW.FULBRIGHT.COM

MDELAPAZ@FULBRIGHT.COM  
DIRECT DIAL: (512) 536-5639

TELEPHONE: (512) 474-5201  
FACSIMILE: (512) 536-4598

January 5, 2005

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CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
January 5, 2005	
Date	Monica A. De La Paz

**Mail Stop Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: *U.S. Patent Application No. 10/043,877 entitled "ANTIHELMINTHIC DRUGS AS A TREATMENT FOR HYPERPROLIFERATIVE DISEASES" – Tapas Mukhopadhyay et al.*  
*OurRef. INRP:095US; Client Ref. MDA99-067*


Commissioner:

Enclosed for filing in the above-referenced patent application is:

1. A Supplemental Response to Office Action with Exhibit 1; and
2. A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

The Commissioner is authorized to deduct the amount of the fee for this filing, or any additional fees required for any reason relating to the enclosed materials, from Fulbright & Jaworski L.L.P. Account No.: 50-1212/INRP:095US.

Respectfully submitted,

  
Monica A. De La Paz  
Reg. No. 54,662

MAD/vv  
Enclosures



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Tapas Mukhopadhyay, *et al.*

Serial No.: 10/043,877

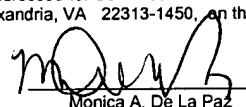
Filed: January 9, 2002

For: ANTIHELMINTHIC DRUGS AS A  
TREATMENT FOR  
HYPERPROLIFERATIVE DISEASES

Group Art Unit: 1642

Examiner: B. J. Fetterolf

Atty. Dkt. No.: INRP:095US

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January 5, 2005	
Date	Monica A. De La Paz

**SUPPLEMENTAL RESPONSE TO OFFICE ACTION**

**Mail Stop Amendment**

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450 Commissioner:

This paper is submitted as a supplemental response to the Office Action dated June 28, 2005. The response to the Office Action was submitted by Applicants on October 28, 2004. Applicants indicated in the response to the Office Action that an executed declaration of the inventors pursuant to 37 C.F.R. §1.131 to antedate Davis (WO00/41669) was forthcoming. Applicants submitted a first Supplemental Response on November 24, 2004, which included the declaration of Sunil Chada, Abner Mhashilkar, and Jack Roth, under 37 C.F.R. §1.131, and a Petition under 37 C.F.R. §1.47(a) to allow for submission of the declaration under 37 C.F.R.

§1.131 without the signature of inventor Tapas Mukhopadhyay since he could not be located despite the diligent effort of Applicants to locate him.

On December 11, 2004, Applicants received a facsimile from Dr. Mukhopadhyay in India that included a signed declaration of inventors pursuant to 37 C.F.R. §1.47(a). The executed declaration of Dr. Mukhopadhyay is included herein as Exhibit 1. Applicants will not resubmit the exhibits cited in the declaration since are unchanged and have been previously submitted. Therefore, the declaration under 37 C.F.R. §1.131 is fully executed by all inventors of the instant invention.

Although Dr. Mukhopadhyay did not write in a date next to his signature, the facsimile of the pages of the declaration includes a date of "Dec. 11 2004" in the upper right hand corner of each page of the declaration. Applicants assert, therefore, that the declaration of Dr. Mukhopadhyay is fully executed, dated, and valid. If, for some reason, the Examiner believes the absence of a handwritten date invalidates the declaration, then Applicants draw the Examiner's attention to the Petition under 37 C.F.R. §1.47(a), which was submitted on Nov. 24, 2004, in accordance with instructions of the Examiner and the Petitions Office of the U.S.P.T.O. Thus, Applicants will presently not withdraw the declaration under 37 C.F.R. §1.47(a) until such time as the Examiner acknowledges receipt of the fully executed declaration of each of the inventors under 37 C.F.R. §1.131.

It is believed that no fees are believed to be due in association with the filing of this supplemental response to the Office Action. Should a fee be necessary, consider this paragraph such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/INRP:095US.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'mDe La Paz', with a long horizontal flourish extending to the right.

Monica A. De La Paz

Reg. No. 54,662

Attorney for Applicants

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 536-5639

Date: January 5, 2005